REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 24-29 and 31-47 are pending in this application. Withdrawn Claims 1-24 and 30 are canceled by the present response without prejudice. Claims 31-47 are added by the present response. Those claims are deemed to be self-evident from the original disclosure, particularly from original claims 2-12, 14, 15, 16, 19, 20, and 23, and thus are not deemed to raise any issues of new matter.

Claim 25 was rejected under 35 U.S.C. § 112, second paragraph. Claims 25-29 were rejected under 35 U.S.C. § 103(a) as unpatentable over the article *Eco-Business and Reverse Logistics* to Mugita, Logistics Systems, vol. 9, no. 8, pages 59-63 (herein "Mugita)" in view of U.S. patent 5,965,858 to Suzuki et al. (herein "Suzuki") and an obvious design choice.

Addressing first the rejection of claim 25 under 35 U.S.C. § 112, second paragraph, that rejection is overcome by the present response as claim 25 is amended at line 10 to now provide all terms with proper antecedent basis.

Addressing now the rejection of claims 25-29 under 35 U.S.C. § 103(a) as unpatentable over Mugita in view of Suzuki and an obvious design choice, that rejection is traversed by the present response.

First, applicants traverse the basis for the outstanding rejection with respect to the "obvious design choice".

As noted in MPEP § 2143:

> To establish a *prima facie* case of obviousness, three basis criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

> The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicants' disclosure.

Applicants first respectfully submit the basis for the outstanding rejection is not properly considering all of the claim features as it recognizes that the applied art does not disclose all of the claimed features. More specifically, the basis for the outstanding rejection ignores the positively recited information of the specific type of information processing executed, and clearly the teachings in Suzuki, as recognized in the Office Action, do not overcome such deficiencies. The outstanding rejection addresses such a feature by merely stating "the specific type of processing being a matter of design choice in order to achieve a desired result". That basis for the outstanding rejection clearly does not establish any of the three requirements of a proper *prima facie* case of obviousness noted above. That is, it is clear the basis for the outstanding rejections is summarily dismissing claim limitations, and clearly does not cite any prior art references to teach all of the claimed limitations. The statement that any type of "processing" can be utilized "to achieve a desired result" is a meaningless statement that could be applied to any rejection on any basis, and if proper would result in citing any prior art for any proposition. Stated another way, if it always would have been obvious to one of ordinary skill in the art to use a processing to achieve a desired result, then all processings that achieve any result would have been obvious. It is respectfully submitted that is clearly an improper interpretation of the claims, and does not establish a proper *prima facie* case of obviousness with respect to the claimed features.

The outstanding rejection further cites Mugita to disclose:

> ... a process of a plurality of enterprises mutually exchanging post-consumer merchandise of other enterprises, which are collected when each enterprise sells their own merchandise, and taking back the enterprise's own merchandise, wherein at the time of the exchange, [an] exchanging center is utilized.

Applicants note, however, that Mugita does not provide any specific details of any teaching corresponding to the claimed features.

The exchange of goods themselves can be made simple and easy. However, for business entities, it will be necessary to exchange collected goods effectively and economically. If exchange is difficult and expensive, the business entities will be reluctant to recycle, reuse, and so on collected goods, and thereby ecological advantages cannot be achieved.

Mugita does not disclose or suggest any specifics as to how to effectuate an exchange of goods in a manner that is efficient for business entities.

Moreover, Suzuki merely discloses a system of promoting the proper recycling of discarded articles. Suzuki does not disclose or suggest any exchange of collected goods between different business entities, and Suzuki does not even address bringing and taking-back goods effectively and economically.

In contrast to Mugita and Suzuki, the present invention provides a specific system and method for the exchange of goods such that a predetermined storage place is used. As shown for example in Figure 1 of the present specification, each of different business entities A-C 10 can provide goods to be exchanged amongst each other to an exchange center 20, which can then route the goods to be recycled, reused, etc. to the appropriate same business entities A-C.

More specifically, according to the present invention, each business entity A-C brings to the storage place 10 collected goods in accordance with their own business schedule and takes back stored merchandise that they should take back. Persons in the storage place, again for example the exchange center 20, will receive the brought-in goods, classify them, and then store them, to allow their easy take-out by the appropriate business entity A-C.

The present invention provides an operation for an efficient and economic exchange of goods. The claimed method supplies, for example, the business entity with information for taking-back the collected goods from the storage place, and provides the storage place with information for the preparation of received brought-in goods and goods to be taken back. The present invention also provides an easy way to input data for such operations.

With specific reference to claim 25, applicants respectfully submit the outstanding rejection is not fully considering the actual limitations recited therein.

In the method of claim 25 the collected goods information representing the collected goods to be stored in a predetermined storage place is input to a computer at the business entity or the storage place.

Then, the stored collected goods information is processed to obtain stored goods information indicating collected goods to be taken back by each of the plurality of business entities, and obtained stored goods information is notified to respective business entities and is output.

With such operations, each business entity will note the collected goods that they collected to their warehouse. Therefore, each business entity can make an appropriate schedule for themselves to bring the collected goods to the storage place and take back the stored goods effectively, based on the notified stored goods information and their own stored goods information.

Further, the desired goods-to-take-back information (keeper information) representing the goods each business entity wants to take back is output. With such information, the persons (keeper) in the storage place can start to prepare the goods for take-back by any of the business entities.

Such specific operations set forth in claim 25 are clearly not taught or suggested by any of the applied art, and applicants note the basis for the outstanding rejection has not set forth how each method operation positively recited in claim 25 is fully met by the applied art.

In such ways, applicants respectfully submit independent claim 25, and the claims dependent therefrom, clearly distinguish over the applied art.

Independent claim 26 recites similar features as an independent claim 25 noted above and is thereby allowable for similar reasons as noted above.

Further, with respect to independent claim 27, independent claim 27 recites certain similar features as noted above, which distinguish over the applied art. Further, by the operation in independent claim 27 the persons in the predetermined storage place and each business entity can exchange the collected goods effectively and economically by the provided information.

Further by the operation in the invention defined in claim 27, the persons in the predetermined storage place can start the preparation for receiving the to-be-brought-in used goods based on a carry-in schedule, and can transmit the goods that the business entity wants to take-back based on the desired goods-to-take-back information.

With such operations each of the business entities can efficiently make a schedule to bring in and take-back goods based on the stored goods information.

The specific features in claim 27 are believed to also clearly distinguish over the applied art.

With respect to independent claim 28, independent claim 28 recites at least certain similar features as noted above and is believed to also distinguish over the applied art.

By the operation in independent claim 28 persons in the predetermined storage place can start the preparation for receiving the to-be-brought-in used goods and can transmit the goods that a business entity wants to take-back based on the informed schedule and desired

goods-to-take-back information. Further, with the operation in independent claim 28 each of business entities can efficiently make a schedule to bring in and take-back goods based on the stored information. Such features distinguish over the applied art.

With respect to independent claim 29, independent claim 29 also recites features such as noted above that distinguish over the applied art.

Further, according to independent claim 29 the delivering-out information for delivering goods out of the predetermined storage place is prepared by performing a predetermined process based on the input desired goods-to-take-back information and the information about goods stored in the memory. The delivering of the goods can be performed based on the delivering-out information effectively.

Such features recited in claim 29 are also believed to clearly distinguish over the applied art.

Applicants respectfully submit each of independent claims 25-29 recites specific features as to how the methods therein are specifically executed, which clearly distinguish over the applied art, and which have not even been addressed in the Office Action.

Moreover, applicants respectfully submit new dependent claims 31-47 recite further features neither taught nor suggested by the applied art.

New dependent claim 31 further recites utilizing information for specifying manufacturers of the goods for effectively exchanging goods between the business entities. That feature further distinguishes over the applied art.

New dependent claim 32 further recites that desired goods-to-bring-in information is provided, which can help persons in the storage place for preparing for the reception of goods. Such a feature enhances the exchange of goods at the storage place, and is further neither taught nor suggested by the applied art.

Further, in new dependent claim 32 by inputting information indicating that the collected goods have been brought in, information representing stored goods can be updated automatically. Such features also distinguish over the applied art.

New dependent claim 33 further allows the inputting of the desired goods-to-bring-in information, which allows a person in a storage place to prepare for reception of the goods. Such features are neither taught nor suggested by any of the applied art.

According to new dependent claim 34 the desired goods-to-take-back information is received and processed. With such an operation a person in the storage place can effectively prepare the goods for delivery. Such further features distinguish over the applied art.

According to new dependent claim 36 the goods specified by the desired goods-to-take-back information are excluded from goods specified by the collected goods information. Such an operation makes the collected goods information simple to be understood. Such further features distinguish over the applied art.

According to new dependent claim 36 the keeper information processing outputs the desired goods-to-take-back information to be ready for shipment from the predetermined storage place. As a result, persons in the storage place can start readying goods for shipment. Such further features clearly distinguish over the applied art.

According to new dependent claim 37, shipped collected goods can be excluded from the stored goods information, and thereby the stored goods information can be simplified and easy to understand. Such further features distinguish over the applied art.

According to new dependent claim 38, the predetermined storage place includes first and second storage places. Such a structure allows the effective carrying of collected goods. Further, information suitable for such first and second storage places can be input, processed, and output. As a result the carrying and exchanging of goods can be made even more

effective and economical. Such further features are neither taught nor suggested by any of the applied art.

According to new dependent claim 39 a charge for each business entity can be automatically obtained. Such an operation can make easier management of the exchange of goods, and such further features are neither taught nor suggested by any cited art.

New dependent claim 40 allows a scheduled date of delivery into the predetermined storage place, an actual delivering-in date being stored with the collecting business entity, a taking-back business entity, information specifying goods, and a scheduled delivering-out date and an actual delivering-out date. Such additional data allows an enhanced operation by allowing checking and confirming of the history of the exchange of goods. Such further features are neither taught nor suggested by any of the applied art.

According to new dependent claim 41, the stored goods information can be obtained every given period and can be sent to each business entity. Thereby, the business entity can receive such data periodically. Such further features are neither taught nor suggested by any applied art.

According to new dependent claim 42, by the schedule information and the desired taking-back date, the person in the storage place can start receiving and delivering the goods. By storing the schedule information, the storage information, the desired taking-back date, and the delivering-out information, an operator can check or confirm the goods exchange history. Such further features are neither taught nor suggested by any applied art.

According to new dependent claim 43, the predetermined storage place includes plural first storage places and plural second storage places, which allows more effective carrying of collected goods. Further, the information suitable for such first and second storage places is input, processed, and output. Such further features distinguish over the applied art.

According to new dependent claim 44, a charge for each business entity for storage and exchanging works can be obtained based on at least a quantity and a storage period of collected goods. Such further features are neither taught nor suggested by the applied art.

According to new dependent claim 45, first and second storage places are provided and information suitable for such storage places is utilized. Such further features are neither taught nor suggested by the applied art.

According to new dependent claim 46, a bill and/or a detailed statement can be prepared based on at least a storage period of collected goods for each business entity. Such further features are neither taught nor suggested by the applied art.

According to new dependent claim 47 first and second storage places are provided and information suitable for such storage places is utilized. Such features are neither taught nor suggested by the applied art.

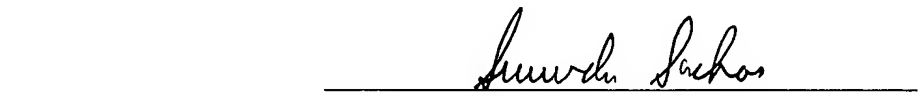
In such ways, applicants note the dependent claims further submitted herein recite additional features neither taught nor suggested by any applied art.

In view of the present response, applicants respectfully submit the claims as currently written positively recite features neither taught nor suggested by the applied art. Thus, applicants respectfully submit each of the claims as currently written is allowable.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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